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POLICY STATEMENT ON ENFORCEMENT OF EXCESS EMISSIONS
AND/OR MONITOR DOWNTIME

In the course of analyzing Excess Emission Reports (EERs), the Missouri Department of Natural Resources, Air Pollution Control Program (APCP) must determine when to take enforcement action against sources reporting high percentages of excess emissions. Listed below are Enforcement Action Levels based on the percentages of Source Operating Time, at which the APCP will take enforcement action against a facility. After conferring with USEPA, we have drafted the following Enforcement Action Guidelines. They are similar to those which USEPA has adopted.

1. For Excess Emission Opacity, the Enforcement Action Levels are:
 - A. Five percent (5%) of Source Operating Time (SOT). This does not include excess emissions due to start-up/shutdown.
 - B. One percent (1%) SOT if the source is required to use the CEM as a direct compliance method, not to include start-up/shutdown.
2. For Excess Emission of SOx and NOx, the Enforcement Action Levels are:
 - A. Five percent (5%) of SOT, to include excess emissions during start-up/shutdown.
 - B. One percent (1%) SOT, if source is required to use CEM as a direct compliance method. This 1% is to include start-up/shutdown.
3. For Monitor System Downtime, the Enforcement Action Levels are:
 - A. Five percent (5%) of SOT.
 - B. One percent (1%) of SOT, if source is required to use CEM as a direct compliance method.

